

UNITED STATES DISTRICT COURT

JOSEPH P. SCHMITT, pro se.,
Plaintiff

v.

THOMAS CARTER, et al.,
Defendants

FILED
CLERKS OFFICE

CIVIL ACTION No. 2005-10571-RWZ
2007 JUN -5 P 1:54

U.S. DISTRICT COURT
DISTRICT OF MASS.

PLAINTIFF MOTION FOR COURT TO RULE ON MOTION

Now comes the pro se plaintiff and moves that this Court rule on his motion entitled, PLAINTIFF'S MOTION FOR RECONSIDERATION OF COURT'S (RYA W. ZOBEL) ORDER DATED FEBRUARY 5, 2007.

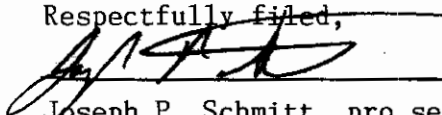
As grounds thereof, plaintiff states that the excessive delay prejudices his ability to successfully prosecute the action do to the excessive and repeated delays in this case, as well as all other cases before this same court. The excessive delays cause potential witnesses to forget important details of the case.

The excessive and repeated delays tend to show a prejudice against the pro se plaintiff simply because he is incarcerated at the Treatment Cenetr as a sexually dangerous person. The court's records show cases filed well after this case being moved forward without such excessive delays, further enforcing the plaintiff's opinions of prejudice against him.

Wherefore, plaintiff moves this court take action on his above noted motion without further delay. Plaintiff further states that the motion in question can only be ruled on in his favor as it is a matter of law and firmly supported in his pro se motion.

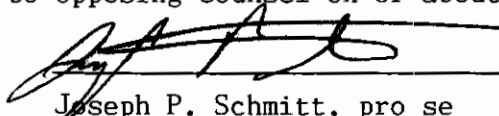
Dated; May 30, 2007

Respectfully filed,


Joseph P. Schmitt, pro se
30 Administration Road
Bridgewater, MA. 02324-3230

CERTIFICATE OF SERVICE

Plaintiff hereby certify under pains and penalties of perjury that a true copy of the above motion was mailed to opposing counsel on or about May 31, 2007 via intra department mail


Joseph P. Schmitt, pro se